



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 28 2010

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Larry Korf
DeZURIK, Inc.
250 Riverside Avenue North
Sartell, Minnesota 56377

Re: Finding of Violation
DeZURIK, Inc., Sartell, Minnesota

Dear Mr. Korf:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to DeZURIK, Inc. (you). We find that you violated Section 112 of the Clean Air Act, 42 U.S.C. § 7412, at your Sartell, MN facility.

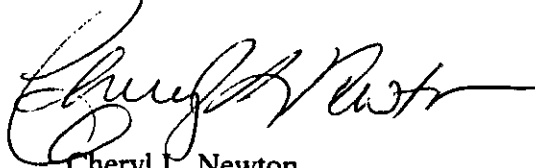
The EPA has several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to return to compliance, and the steps you will take to prevent future violations.

If you choose to confer, please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may also have an attorney represent you at this conference.

The EPA contact in this matter is Mickey Regan. You may call her at 312.656.1377 to request a conference. You should make the request within 10 calendar days following your receipt of this letter. We should hold any conference within 30 calendar days following your receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl L. Newton", with a long horizontal flourish extending to the right.

Cheryl L. Newton

Director

Air and Radiation Division

Enclosure:

cc: David Crowell, Manager, Environmental Control
Minnesota Pollution Control Agency Brainerd Office

United States Environmental Protection Agency Region 5

IN THE MATTER OF:

DeZURIK, Inc.
Sartell, Minnesota

Proceedings Pursuant to
the Clean Air Act,
42 U.S.C. §§ 7401 et seq.

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FINDING OF VIOLATION

EPA-5-10-MN-27

FINDING OF VIOLATION

The U.S. Environmental Protection Agency finds that DeZURIK, Inc. has violated Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, DeZURIK, Inc. has violated the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Surface Coating of Miscellaneous Metal Parts and Products at 40 C.F.R. Part 63, Subpart MMMM as follows:

Regulatory Authority

1. The NESHAP for Surface Coating of Miscellaneous Metal Parts and Products applies, subject to certain exceptions, to owners and operators of new, reconstructed or existing affected sources that use 946 liters (250 gallons) per year or more of coatings that contain hazardous air pollutants (HAP) in the surface coating of miscellaneous metal parts and products, and that are a major source, located at a major source, or are part of a major source of emissions of HAP.
2. The applicable NESHAP, at 40 C.F.R. § 63.3890(b)(1), requires the owner and operator of an affected existing source to limit organic HAP emissions to no more than 0.31 kg (2.6 lb) organic HAP per liter (gal) coating solids during each 12-month compliance period.
3. The NESHAP, at 40 C.F.R. § 63.3910(c)(7), requires the owner and operator of an affected source to supply example calculations and supporting data during the initial notification of compliance status.
4. The NESHAP, at 40 C.F.R. § 63.3920(a)(6)(iii), requires the owner and operator of an affected source to provide a statement of the cause of each deviation, if there was a deviation from the applicable emission limit, during submittal of semiannual compliance reports.

Factual Background

5. DeZURIK, Inc. manufactures valves and related products at its facility at 250 Riverside Avenue North in Sartell, MN.
6. In the course of its manufacturing processes, DeZURIK, Inc. engages in the surface coating of miscellaneous metal products at its facility.
7. De ZuURIK's facility is an existing affected source under 40 C.F.R. §§ 63.3881(a) and 63.3882.
8. DeZURIK, Inc.'s affected source is subject to the requirements at 40 C.F.R. Part 63 Subpart Mmmm.
9. DeZURIK, Inc. submitted to the Minnesota Pollution Control Agency a Compliance Status Notification dated November 30, 2009.
10. The facility became a major source of organic HAPs on October 30, 2007, when the facility exceeded the five ton limit specified in its Minnesota Pollution Control Agency Option D permit.

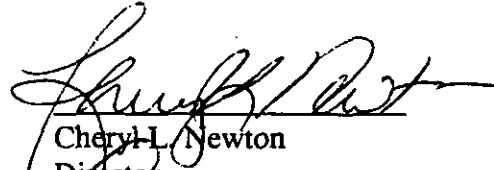
Violations

11. Based on the Compliance Status Notification dated November 30, 2009, DeZURIK, Inc. did not comply with the 2.6 lbs organic HAP emission per gallon of coating solids requirement during the period from October 30, 2008, through October 31, 2009. This is a violation of the NESHAP found in 40 CFR § 63.3890(b)(1).
12. Based on the Semiannual Compliance Report dated July 30, 2010, DeZURIK, Inc. did not comply with the 2.6 lbs organic HAP per gallon of coating solids requirement during the period from November 1, 2009, through December 31, 2009. This is a violation of the NESHAP found in 40 CFR § 63.3890(b)(1).
13. Based on the Compliance Status Notification dated November 30, 2009, DeZURIK, Inc. did not comply with the requirement to submit example calculations and supporting data during the period from October 30, 2008, to the present. This is a violation of the NESHAP found in 40 CFR § 63.3910(c)(7).
14. Based on the Semiannual Compliance Report dated July 30, 2010, DeZURIK, Inc. did not comply with the requirement to submit the cause of deviation during the period from July 30, 2010, to the present. This is a violation of the NESHAP found in 40 CFR § 63.3920(a)(6)(iii).

Environmental Impact of Violations

15. The HAPs that Subpart MMMM addresses are associated with a variety of adverse health effects, include chronic health disorders (e.g., irritation of the lung, eyes and mucous membranes and effects on the central nervous system) and acute health disorders (e.g., lung irritation and congestion, alimentary irritation and congestion, alimentary effect such as nausea and vomiting, and effects on the central nervous system).

Date: 9/28/10


Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

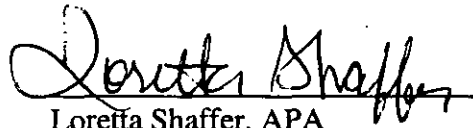
I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-10-MN-27, by Certified Mail, Return Receipt Requested, to:

Larry Korf
DeZURIK, Inc.
250 Riverside Avenue North
Sartell, Minnesota 56377

I also certify that I sent copies of the Finding of Violation by first class mail to:

David Crowell, Manager, Environmental Control
Minnesota Pollution Control Agency
Brainerd Office
7678 College Road, Suite 105
Baxter, Minnesota 56425

on the 29 day of September, 2010.


Loretta Shaffer, APA
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0192 0348